

File # RQ-00549-DM

ID # 16184

TEXAS DEPARTMENT OF PUBLIC SAFETY

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512/465-2000



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May 22, 1992

RQ-549

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Opinion Committee

The Honorable Dan Morales
Attorney General of Texas
Price Daniel, Sr., Building
209 W. 14th Street
Austin, Texas

Re: Open Records Act

Dear General Morales:

Pursuant to Section 7 of the Open Records Act, Article 6252-17a, VTCs; the Texas Department of Public Safety hereby requests a decision as to whether certain information is exempt from public disclosure under Section 3(a)(8) of the Act.

Attached as Exhibit A is a letter from Jane Brown. Ms. Brown requests a copy of a 1973 murder investigation. The murder was investigated by the Texas Rangers. The case remains unsolved.

The Department submits that the requested information is exempt from disclosure under Section 3(a)(8) of the Act.

The Department submits public disclosure of this file would unduly interfere with law enforcement. There is still a possibility of criminal charges being filed. Release of this file would warn potential suspects of the evidence which has been obtained. It would assist them in continuing to evade detection.

The Department recognizes the fact that this is an old case. However, there is no statute of limitations on murder. Should a lead develop the Rangers would pursue it. If a case can be made against a suspect, the Rangers would file it. It is for this reason that the Department requests that the case be withheld from public disclosure.

Please feel free to contact me if you have any questions or need additional information.

Sincerely,

Charles Karakashian, Jr.
Assistant General Counsel

CK:bif

Attached

**ACCOMPANIED BY ENCLOSURES -
FILED SEPARATELY**